

1 Neil A. Goteiner (State Bar No. 083524)  
2 Dennis M. Cusack (State Bar No. 124988)  
3 Carly O. Alameda (State Bar No. 244424)  
4 Farella Braun & Martel LLP  
5 235 Montgomery Street, 17th Floor  
San Francisco, CA 94104  
Telephone: (415) 954-4400  
Facsimile: (415) 954-4480  
E-mail: [ngoteiner@fbm.com](mailto:ngoteiner@fbm.com), [dcusack@fbm.com](mailto:dcusack@fbm.com),  
[calameda@fbm.com](mailto:calameda@fbm.com)

7 Attorneys for Plaintiff  
COUPONS, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

12 COUPONS, INC.,

13 Plaintiff,

14

15 JOHN STOTTELMIRE, and DOES 1-10,

16 Defendants.

Case No. 5:07-CV-03457 HRL

## DECLARATION OF ED (BUD) MILLER

Date: December 4, 2007

Time: 10:00 a.m.

Courtroom: 2

Judge: Honorable Howard R. Lloyd

18 I, Ed (Bud) Miller, declare as follows:

19       1. I am the Executive Director of the Coupon Information Center (<http://www.cents-off.com/index.htm>), which is operated by the Coupon Information Corporation, located in  
20 Alexandria, Virginia. The Coupon Information Corporation is a not-for-profit association of  
21 consumer product manufacturers dedicated to fighting coupon misuse and fraud.  
22

23        2. In my capacity as Executive Director of the Coupon Information Center, I monitor  
24 websites that post online coupons and websites that discuss online coupons. One of the websites  
25 that I monitor is DealIdeal ([www.dealideal.com](http://www.dealideal.com)), and I usually check this website two to three  
26 times a day.

27       3. Beginning in May 2007, considerable discussion on the DealIdeal forum addressed  
28       John Stottlemire and Stottlemire's website, the Coupon Queen. ([www.thecouponqueen.net](http://www.thecouponqueen.net)).

1      Reviewing the postings on the DealIdeal forum, it became apparent that Stottlemire had been  
2      posting messages to DealIdeal in an effort to draw visitors to the Coupon Queen. This led me to  
3      visit the Coupon Queen.

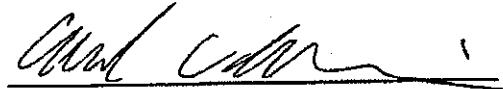
4      4.      On or around May 22, 2007, I visited the Coupon Queen. The website hosted a  
5      forum primarily devoted to issues involving coupons. Forum member "virtually\_john" had  
6      posted a message, stating "I recently posted information on another site (dealideal) on how to beat  
7      the limitation imposed by the software provided by coupons.com and would allow users of that  
8      software to print an unlimited number of coupons from the coupons.com website." The same  
9      post stated "I have created a small exe file that will remove the limitations placed by the  
10     coupons.com software. If anyone wishes it, send me a PM and I'll gladly send it your way." I  
11     understand "PM" to be a common abbreviation for "private message." The post was signed  
12     "john." In order to inform Coupons, Inc. of the exe file offered by "virtually\_john," I copied and  
13     pasted the content of this post into a May 22, 2007 email to Jeff Weitzman of Coupons, Inc.  
14     Attached as Exhibit 1 is a true and correct copy of my May 22, 2007 email to Jeff Weitzman.  
15     Attached as Exhibit 2 is a screenshot which accurately shows the post by virtually\_john on the  
16     Coupon Queen, as it looked on May 22, 2007.

17     5.      I have printed coupons offered by Coupons, Inc., both from its website  
18     (www.coupons.com) and from other websites. I am aware that individuals must download and  
19     install a Coupons, Inc. printing application in order to print any online coupons offered by  
20     Coupons, Inc. I understand that Coupons, Inc. printing application prevents an individual from  
21     printing an unlimited number of any single online coupon offered by Coupons, Inc.

22     6.      As the Executive Director of the Coupon Information Center, it is my professional  
23     obligation to understand coupon vulnerabilities that allow an individual to reproduce an unlimited  
24     quantity of any single coupon. For the purposes of reviewing the exe file offered by  
25     virtually\_john, I returned to the Coupon Queen website on May 25, 2007 and created a forum  
26     member account. Using my forum account, I sent a private message through the Coupon Queen  
27     forum to "virtually\_john," requesting a copy of the exe file and thereafter providing an email  
28     address.

1       7. On May 25, 2007 at 11:16 a.m., I received an email from "John Stottlemire," with  
2 email address johna@stottlemir.net. The email stated "[H]ere's the 'removal tool' (attached)." A  
3 zip file named "removebricks.zip," containing the file removebricks.exe, was attached to the  
4 email. Additionally, the email provided guidance on how to use the software application, stating  
5 "You must have ALL browser windows closed FIRST, then run the program, then reopen your  
6 browser." The email was signed "john." Attached as Exhibit 3 is a true and correct copy of the  
7 email that I received from John Stottlemire on May 25, 2007 at 11:16 a.m.

8       I declare under penalty of perjury under the laws of the United States that the foregoing is  
9 true and correct to the best of my knowledge. Executed this 13 day of November, 2007, in  
10 Alexandria, Virginia.



ED (BUD) MILLER

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

**EXHIBIT 1**

**TO**

**DECLARATION OF ED (BUD) MILLER**

---

**From:** "Jeff Weitzman" <JeffW@couponsinc.com>  
**To:** <ersalexandria@msn.com>  
**Sent:** Tuesday, May 22, 2007 5:07 PM  
**Subject:** Re: post on www.thecouponqueen.net. (Red, size color added)

Tracked down Leo and our lawyers spoke to him. He will remove the post (he says). We'll follow up on this guy as well, thanks.

----- Original Message -----

From: ERSALEXANDRIA@msn.com <ERSALEXANDRIA@msn.com>  
To: Jeff Weitzman  
Sent: Tue May 22 13:54:49 2007  
Subject: post on www.thecouponqueen.net. (Red, size color added)

recently posted information on another site (dealideal) on how to beat the limitation imposed by the software provided by coupons.com and would allow users of that software to print an unlimited number of coupons from the coupons.com website.

As the forum admin at dealideal sees this site as a competing website and knows that the decoder on our website produces much more accurate results than does his own, he asked me to remove the information I posted. I removed the information as he requested, and was told by the forum moderator (femont36) that the information I provided would most likely be reposted by a different user and amazingly enough, it was. Immediately after I removed the post, Leo, dealideal's admin, banned my IP and removed any and all content I had provided on the dealideal forums. We, my wife and I, are no longer able to visit the dealideal forum from our home.

No where in the repost of my solution am I given credit for creating the solution and instead the poster (a brand new user created just to post this information) claims that the information he saw was flawed. He then posted almost word for word exactly how I had originally posted it.

In the interim I have created a small exe file that will remove the limitations placed by the coupons.com software. If anyone wishes it, send me a PM and I'll gladly send it your way.

In closing, all this mess was created on dealideal as Leo could not stand for a competing website to post information on his site. He proclaims loudly that there is NO censorship on his site however, within the past month I can assure you that his censorship is in full swing. Mention thecouponqueen on dealideal and it will be removed within hours no matter what we could have contributed to that community.

-john recently posted information on another site (dealideal) on how to beat the limitation imposed by the software provided by coupons.com and would allow users of that software to print an unlimited number of coupons from the coupons.com website.

As the forum admin at dealideal sees this site as a competing website and knows that the decoder on our website produces much more accurate results than does his own, he asked me to remove the information I posted. I removed the information as he requested, and was told by the forum moderator (femont36) that the information I provided would most likely be reposted by a different user and amazingly enough, it was. Immediately after I removed the post, Leo, dealideal's admin, banned my IP and removed any and all content I had provided on the dealideal forums. We, my wife and I, are no longer able to visit the dealideal forum from our home.

No where in the repost of my solution am I given credit for creating the solution and instead the poster (a brand new user created just to post this information) claims that the information he saw was flawed. He then posted almost word for word exactly how I had originally posted it.

In the interim I have created a small exe file that will remove the limitations placed by the coupons.com software. If anyone wishes it, send me a PM and I'll gladly send it your way.

In closing, all this mess was created on dealideal as Leo could not stand for a competing website to post information on his site. He proclaims loudly that there is NO censorship on his site however, within the past month I can assure you that his censorship is in full swing. Mention thecouponqueen on dealideal and it will be removed within hours no matter what we could have contributed to that community.

-john

**EXHIBIT 2**

**TO**

**DECLARATION OF ED (BUD) MILLER**

The Coupon Queen

http://www.thecouponqueen.net/forum/index.cfm?page=topic&topicID=7

Quick-Ship T-Ball Trophy Yahoo! Coupons Finance Audio/Video Mac Gadget Sites PC Mods Blogs Eli

# The Coupon Queen

Welcome Guest Please Register

Home Cart (empty) New Items Expired Link To Us Forum Decoder

Forum Home Search Register Login Blogs Recent Posts

New Topic Post Reply

Forums Index >Coupons >Internet Printed Coupons >Bricks from Coupons.com

Author	Topic: Bricks from Coupons.com (1 messages, Page 1 of 1)
virtually_john -Junior Member- Posts: 8 Joined: May 20, 2007	<p>Posted: May 20, 2007 01:10 PM   Msg. 1 of 1</p> <p>I recently posted information on another site (dealideal) on how to beat the limitation imposed by the software provided by coupons.com and would allow users of that software to print an unlimited number of coupons from the coupons.com website.</p> <p>As the forum admin at dealideal sees this site as a competing website and knows that the decoder on our website produces much more accurate results than does his own, he asked me to remove the information I posted. I removed the information as he requested, and was told by the forum moderator (femont36) that the information I provided would most likely be reposted by a different user and amazingly enough, it was. Immediately after I removed the post, Leo, dealideal's admin, banned my IP and removed any and all content I had provided on the dealideal forums. We, my wife and I, are no longer able to visit the dealideal forum from our home.</p> <p>No where in the repost of my solution am I given credit for creating the solution and instead the poster (a brand new user created just to post this information) claims that the information he saw was flawed. He then posted almost word for word exactly how I had originally posted it.</p> <p>In the interim I have created a small exe file that will remove the limitations placed by the coupons.com software. If anyone wishes it, send me a PM and I'll gladly send it your way.</p> <p>In closing, all this mess was created on dealideal as Leo could not stand for a competing website to post information on his site. He proclaims loudly that there is NO censorship on his site however, within the past month I can assure you that his censorship is in full swing. Mention thecouponqueen on dealideal and it will be removed within hours no matter what we could have contributed to that community.</p> <p>-john</p>

New Topic Post Reply

Time: Wed May 23, 2007 9:39 AM

**EXHIBIT 3**

**TO**

**DECLARATION OF ED (BUD) MILLER**

---

**From:** "John Stottlemire" <johna@stottlemire.net>  
**To:** <rc1peddler@aol.com>  
**Sent:** Friday, May 25, 2007 11:16 AM  
**Attach:** RemoveBricks.zip  
**Subject:** RE: New Private Message at The Coupon Queen

I did get it when you registered, but I still respect the privacy settings you've established.

BTW... don't forget to change your password to something easy for you to remember.

here's the "removal tool" (attached)

You must have ALL browser windows closed FIRST, then run the program, then reopen your browser.

-john

---

**From:** forumadmin@thecouponqueen.net [mailto:forumadmin@thecouponqueen.net]  
**Sent:** Friday, May 25, 2007 8:13 AM  
**To:** jstottl@comcast.net  
**Subject:** New Private Message at The Coupon Queen

decoder1 has sent you a private message at The Coupon Queen

**Subject:** Re: bricks

**Message:**

Sure, sorry, I thought you got it when I registered.

Its rc1peddler@aol.com

TIA!

---

To view your private messages go to [http://www.thecouponqueen.net/forum/index.cfm?page=private\\_messages](http://www.thecouponqueen.net/forum/index.cfm?page=private_messages)

*Please note, this is an automated email. Do not reply to this email.*